



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 23, 2007

TO: Mayor and Councilmembers

FROM: Administration Division, Community Development Department

SUBJECT: Introduction Of Architecture 2030 Energy Ordinance

RECOMMENDATION:

That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the City Council of the City of Santa Barbara Repealing Chapter 22.82 of Title 22 of the Santa Barbara Municipal Code and Enacting a New Chapter 22.82 Establishing Local Energy Efficiency Standards for Certain Buildings and Improvements Covered by the 2005 California Building Energy Efficiency Standards.

DISCUSSION:

A nationwide discussion has been building over the past few years to slow the growth of greenhouse gas emissions and then reverse the trend over the next ten years. One effort has been called Architecture 2030, led by architect Edward Mazria, which promotes the 2030 Challenge. The 2030 Challenge has focused on the built environment because according to their analysis, buildings are the major source of demand for energy and materials that produce by-product greenhouse gases.

Ed Mazria presented this information at a public lecture at the Marjorie Luke Theater on September 26, 2006, and in the David Gebhard Public Meeting Room on November 28, 2006, to invited staff, board and commission members, and elected officials.

A local Architecture 2030 group has been formed, made up of representatives of the local American Institute of Architects (AIA), Community Environmental Council (CEC), building industry, and other environmental organizations. They requested a presentation to the entire Council at the January 30, 2007 meeting to encourage the City to take steps in meeting the 2030 Challenge. At that meeting, the Council unanimously directed staff to take the matter to the Subcommittee on Sustainability for discussion and direction.

REVIEWED BY: _____ Finance _____ Attorney

Agenda Item No. _____

Since that Council action, City staff has taken the following steps:

- Met with the Council Subcommittee on Sustainability in March, 2007, who had favorable comments and encouraged staff to draft an Energy Ordinance for Council consideration;
- Hired Mike Gabel and Associates to assist in the drafting of the Ordinance. Gabel and Associates has experience with other municipalities in drafting energy efficiency ordinances, and years of experience at the State and local level with energy efficiency requirements;
- Held a public workshop in April, 2007 to hear Mike Gabel's presentation on decision points for an energy Ordinance, and receive public input – approximately 30 people attended the meeting;
- Prepared a Draft Ordinance for public review and comment, which was released on August 16, 2007;
- Held a public workshop in the David Gebhard Public Meeting Room for review, comment and input on the Draft Ordinance on August 23, 2007. Approximately 25 people attended the meeting, with many clarifying questions and most comments supportive of the Ordinance as drafted.

Major components of the Ordinance before the Council today include:

- A finding that the modifications to State building energy efficiency standards is necessary due to a local energy system that experiences power outages during peak energy demand periods, and that the resulting reduction in power demand from implementation of this ordinance will have beneficial impacts;
- Increased minimum energy efficiency standards for all new construction of any size, for additions over a certain size threshold, and for the installation of heaters and pumps for swimming pools and spas;
- Mandatory energy reduction requirements for all construction covered by the ordinance, like Energy Star rated appliances and mechanical system efficiency ratings;
- General compliance requirements based upon building construction type, including low-rise residential buildings, high-rise residential buildings (four-story buildings), and non-residential and hotel/motel construction;
- An outline of the documentation required to be submitted to the City at the time of building permit application; and
- Direction on the applicability of solar credits in meeting these energy efficiency standards.

As mentioned above, two public outreach meetings have been held to receive feedback on the proposed energy ordinance. The meetings were broadly advertised with display ads in local newspapers and distribution to our Land Development Team e-mail bulletin. Feedback from the public meetings has been very positive. The Architecture 2030 coalition has also reviewed the Draft Ordinance and recommends its approval.

It is important to remember that local amendments to the California Building Energy Efficiency Standards (State Title 24) require approval by the California Energy Commission prior to becoming effective. Gabel and Associates has experience taking such local ordinances through the State approval process, and is under contract with the City to assist in this matter. After introduction of the Ordinance, staff will submit the proposal to the California Energy Commission for their approval. After that is received, Council will then take a final action on the Ordinance for it to become effective. It is hoped that the Ordinance could become effective in early 2008.

ORDINANCE COMMITTEE REVIEW

On October 16, 2007, the Ordinance Committee reviewed the draft ordinance and received public comment. At the request of the Architecture 2030 Coalition, the Ordinance Committee included two additional findings to the ordinance. These additions state the adoption of the Ordinance corresponds with the first level of the Architecture 2030 Challenge, and that the City will revisit the ordinance after the State adopts its new Building Energy Efficiency Standards, possibly in late 2008. With those changes, the Ordinance Committee unanimously passed the Draft Ordinance on to the City Council for introduction.

Also, Staff has added a finding that Gabel and Associates has determined that the energy conservation measures contained in this Ordinance are considered cost-effective. The California Energy Commission requires a report of the cost-effectiveness of energy conservation measures to approve a local ordinance such as this. Gabel and Associates has completed such a study for the City. A copy of that cost-effectiveness study is available in the Council Reading File and in the City Clerk's Office for review.

SUSTAINABILITY IMPACT

Adoption of this Ordinance will lead to some of the most stringent energy requirements for new construction in the State of California. More energy-efficient buildings will provide for reduction in the emission of greenhouse gas emissions from that construction.

ENVIRONMENTAL REVIEW

Staff has determined that the proposed Ordinance is exempt from California Environmental Quality Act (CEQA) review since it preserves and enhances the environment by setting forth minimum energy efficiency standards. In accordance with CEQA section 15061(b)(3), CEQA does not apply where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

PREPARED BY: Paul Casey, Community Development Director

SUBMITTED BY: Paul Casey, Community Development Director

APPROVED BY: City Administrator's Office